

DEPARTMENT OF THE ARMY
Wilmington District, Corps of Engineers
Post Office Box 1890
Wilmington, North Carolina 28402-1890
(<http://www.saw.usace.army.mil/wetlands/regtour.htm>)

Action ID No. 200301016

8 August 2003

PUBLIC NOTICE

Hunter Development Corporation, c/o Mr. Michael G. Tuton, PO Box 1066, Jacksonville, North Carolina 28541, has applied for a Department of the Army (DA) permit TO TEMPORARILY IMPACT 0.40 ACRES OF SECTION 404 WETLANDS AND WATERS AND TO AUTHORIZE THE DISCHARGE OF FILL MATERIAL INTO 1.16 ACRES OF SECTION 404 WETLANDS AND WATERS IN THE HEADWATERS OF AND INTO UNNAMED TRIBUTARIES TO HALF MOON CREEK ASSOCIATED WITH THE CONSTRUCTION OF A MIXED-USE DEVELOPMENT AND ATTENDANT FEATURES ON THE SOUTH SIDE OF RAMSEY ROAD AND THE NORTH SIDE OF WESTERN BOULEVARD EXTENSION, APPROXIMATELY 0.4 MILE WEST OF THE INTERSECTION OF WESTERN BOULEVARD AND HENDERSON DRIVE, IN JACKSONVILLE, ONSLOW COUNTY, NORTH CAROLINA.

The following description of the work is taken from data provided by the applicant and from observations made during a site visit by a representative of the Corps of Engineers. The project site is a 385.8-acre tract and road easement that includes approximately 22 acres of jurisdictional wetlands and waters. Plans submitted with the application show temporary impacts to 0.40 acres of jurisdictional wetlands and waters associated with seven sewer line crossings and permanent impacts to 1.16 acres of jurisdictional wetlands and waters of the United States in the form of seven road crossings (0.983 acres) and mowed, maintenance corridors of the sewer lines (0.175 acres) in headwater wetlands and unnamed tributaries to Half Moon Creek. The purpose of the work is to construct a mixed-use development within Onslow County. The proposal includes 581 single-family housing lots, 800 multi-family housing units, an elementary school and cooperative use area, a city recreation area, 39,000 linear feet of main roadways, the installation of underground utilities, and associated amenity areas.

The current use of the project area is woodland and timber cultivation. A portion of the property has been timbered in recent years by previous owners and is currently in a state of vegetational succession. The construction of the elementary school is currently in progress; no jurisdictional wetlands and waters impacts are associated with this construction.

Proposed impacts to jurisdictional wetlands and waters are associated with construction of roads and sewer lines throughout the development. No wetland or waters impact will occur from lot development. Four of the road crossings are associated with the Carolina Forest Boulevard, which will extend from Western Boulevard and connect to Ramsey Road. Due to requirements by the City of Jacksonville, this Boulevard had been designed to be between 100-160 feet wide and will include a median, sidewalks, 3:1 side slopes, and a trail in some areas. Plans for the

project include the proposed placement of 3,150 cubic yards of fill material for the seven road crossings. No fill material into jurisdictional wetlands and waters is proposed from the construction of the sewer line. Total impacts associated with the sewer crossings are 0.573 acres of wetlands and waters, of which 0.175 acres will be permanent impacts. These permanent impacts are associated with the 10-foot wide maintenance corridor. The routine of mowing this corridor will alter the wetland vegetation community from forest to herbaceous. Plans showing the work are included with this public notice.

The proposal also includes a mitigation plan for 1.16 acres of wetlands and waters impact. The mitigation proposal includes 0.07 acres of on-site wetland restoration, making payment to the North Carolina Wetlands Restoration Program for 1.09 acres of wetlands and waters, and preserving the remaining on-site jurisdictional wetlands and waters, approximately 20 acres. The applicant proposes to restore 0.07 acres of wetlands on-site by removing an existing logging road and grading the area to the elevation of the adjacent wetlands.

This proposal shall be reviewed for the applicability of other actions by North Carolina agencies such as:

- a. The issuance of a Water Quality Certification under Section 401 of the Clean Water Act by the North Carolina Division of Water Quality (NCDWQ).
- b. The issuance of a permit to dredge and/or fill under North Carolina General Statute 113-229 by the North Carolina Division of Coastal Management (NCDQM).
- c. The issuance of a permit under the North Carolina Coastal Area Management Act (CAMA) by the North Carolina Division of Coastal Management (NCDQM) or their delegates.
- d. The issuance of an easement to fill or otherwise occupy State-owned submerged land under North Carolina General Statute 143-341(4), 146-6, 146-11, and 146-12 by the North Carolina Department of Administration (NCDA) and the North Carolina Council of State.
- e. The approval of an Erosion and Sedimentation Control Plan by the Land Quality Section, North Carolina Division of Land Resources (NCDLR), pursuant to the State Sedimentation Pollution Control Act of 1973 (NC G.S. 113 A-50-66).

The requested Department of the Army (DA) permit will be denied if any required State or local authorization and/or certification are denied. No DA permit will be issued until a State coordinated viewpoint is received and reviewed by this agency. Recipients of this notice are encouraged to furnish comments on factors of concern represented by the above agencies directly to the respective agency, with a copy furnished to the Corps of Engineers.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The District Engineer's initial determination is that the proposed project would not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

This application is being considered pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Any person may request, in writing within the comment period specified in the notice, that a public hearing be held to consider this application. Requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this site is not registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register is the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by work under the requested permit.

The District Engineer, based on available information, is not aware that the proposed activity will affect species, or their critical habitat, designated as endangered or threatened pursuant to the Endangered Species Act of 1973.

The decision, whether to issue a permit, will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts that the proposed activity may have on the public interest requires a careful weighing of all those factors that become relevant in each particular case. The benefits that may be expected to accrue from the proposal must be balanced against its foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore decided by the outcome of the general balancing process. That decision should reflect the national concern for both protection and use of important resources. All factors that may be relevant to the proposal must be considered including the cumulative effects of it. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards and flood plain values (according to Executive Order 11988), land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the placement of dredged or fill materials in waters of the United States, a permit will be denied if the discharge that would be authorized would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria, a permit will be granted unless the District Engineer decides that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes and other interested parties to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to decide whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an

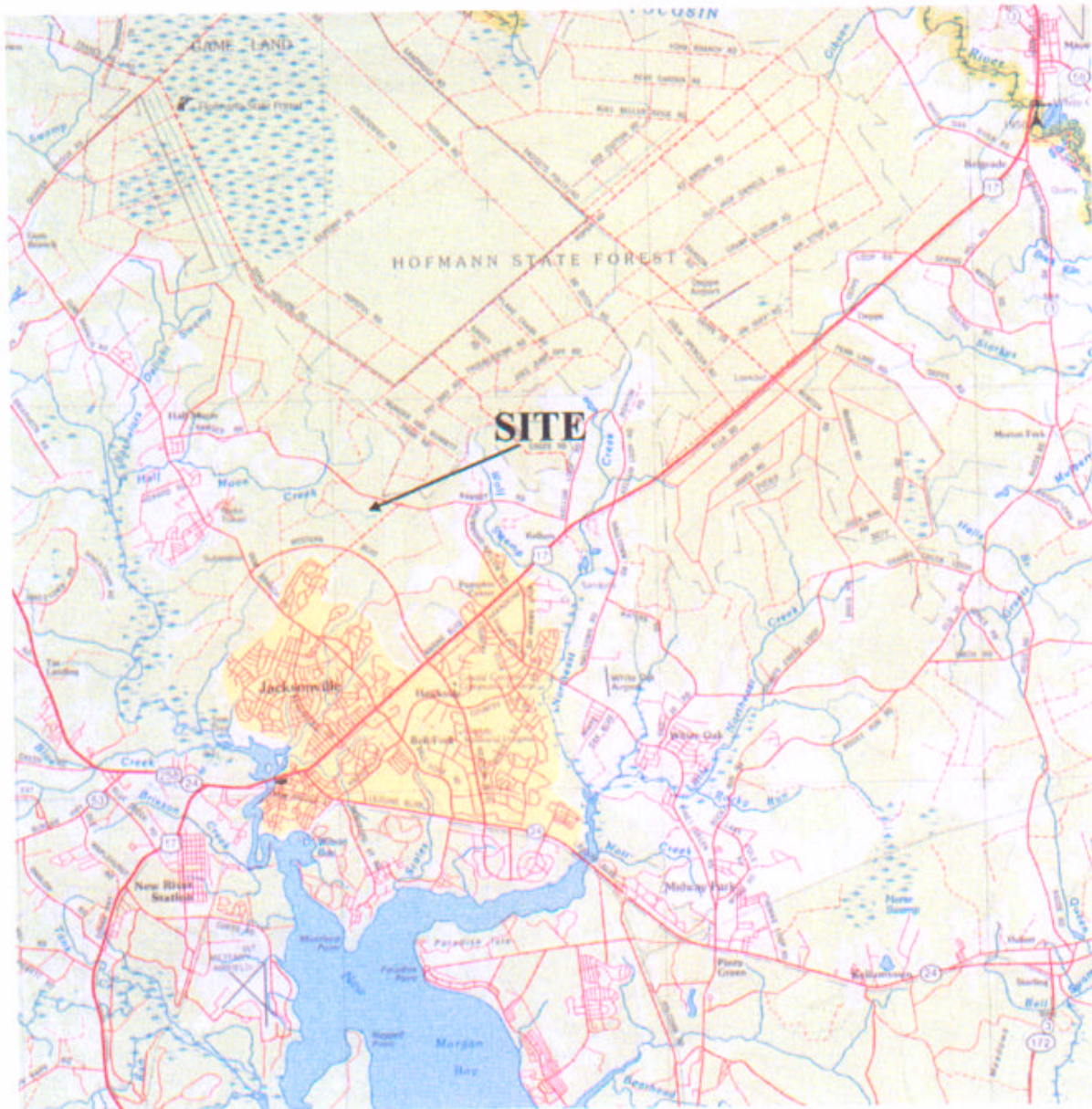
Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to decide the need for a public hearing and to decide the public interest of the proposed activity.

Generally, the decision whether to issue this Department of the Army (DA) permit will not be made until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act. The NCDWQ considers whether the proposed activity will comply with Sections 301, 302, 306, and 307 of the Clean Water Act. The application and this public notice for the Department of the Army (DA) permit serves as application to the NCDWQ for certification.

Additional information regarding the Clean Water Act certification may be reviewed at the offices of the Wetlands/401 Unit, NCDWQ, and 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. Copies of such materials will be furnished to any person requesting copies upon payment of reproduction cost.

All persons desiring to make comments regarding the application for Clean Water Act certification should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1621 Mail Service Center, Raleigh, NC 27699-1621, on or before September 1, 2003, Attn: Mr. John Dorney.

Written comments pertinent to the proposed work, as outlined above, will be received in the Corps of Engineers, Wilmington District, Wilmington Regulatory Field Office, Attn: Ms. Jennifer Frye, Post Office Box 1890, Wilmington, North Carolina, 28402-1890, until 4:15 p.m., September 8, 2003, at telephone (910) 251-4923.



SCALE 1" = 2.4 miles

Carolina Forest
Individual Permit Application
Onslow County, NC
Applicant: Hunter Development Corp.

Land Management Group, Inc.
Environmental Consultants
Wilmington, N.C.
June 2003

Sheet 1 of 2¹⁹
Vicinity map.



SCALE 1" = 4000'

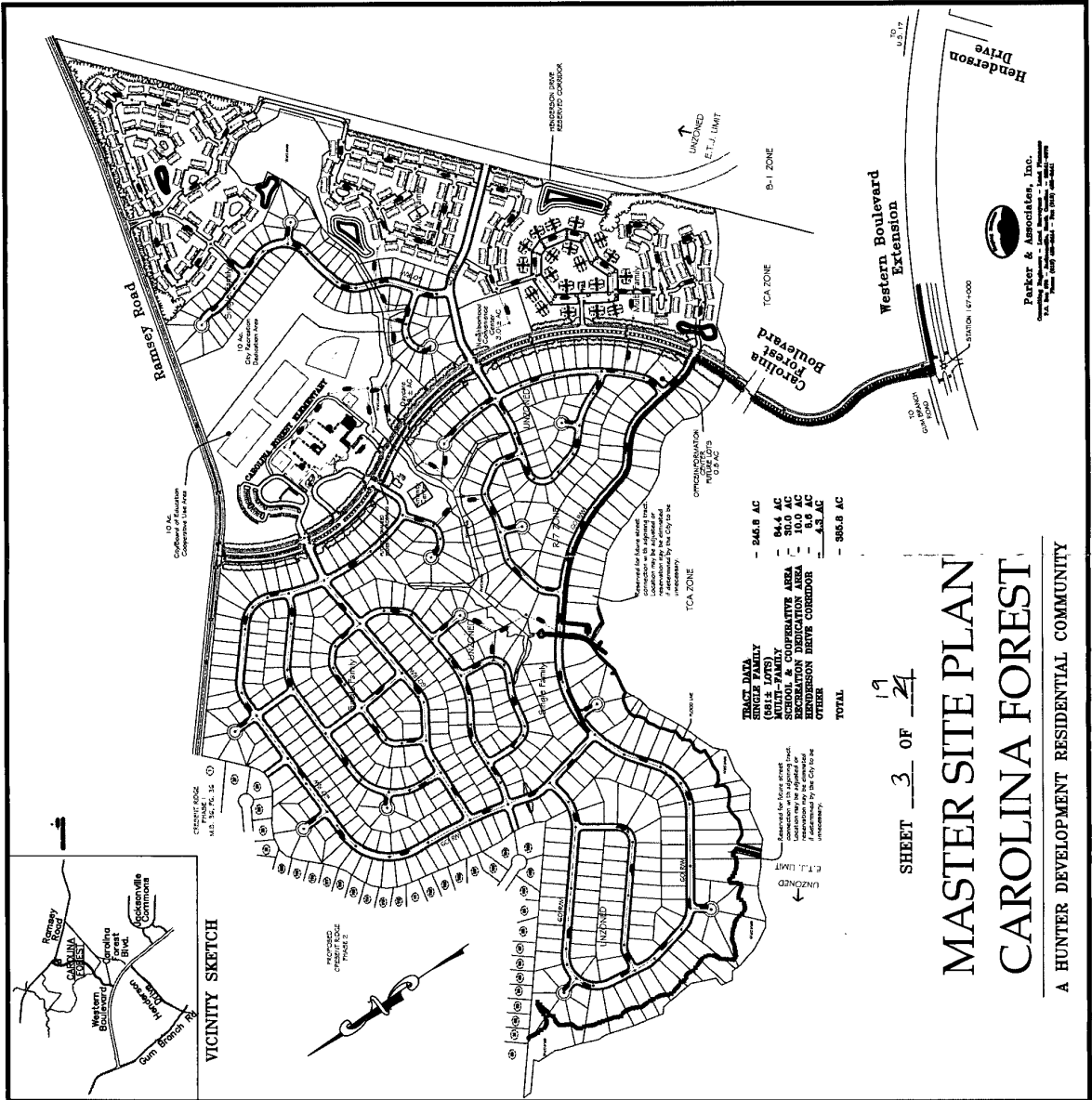
Site located in the Jacksonville North quadrangle.

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June 2003

Sheet 2 of 21
Topographic map.



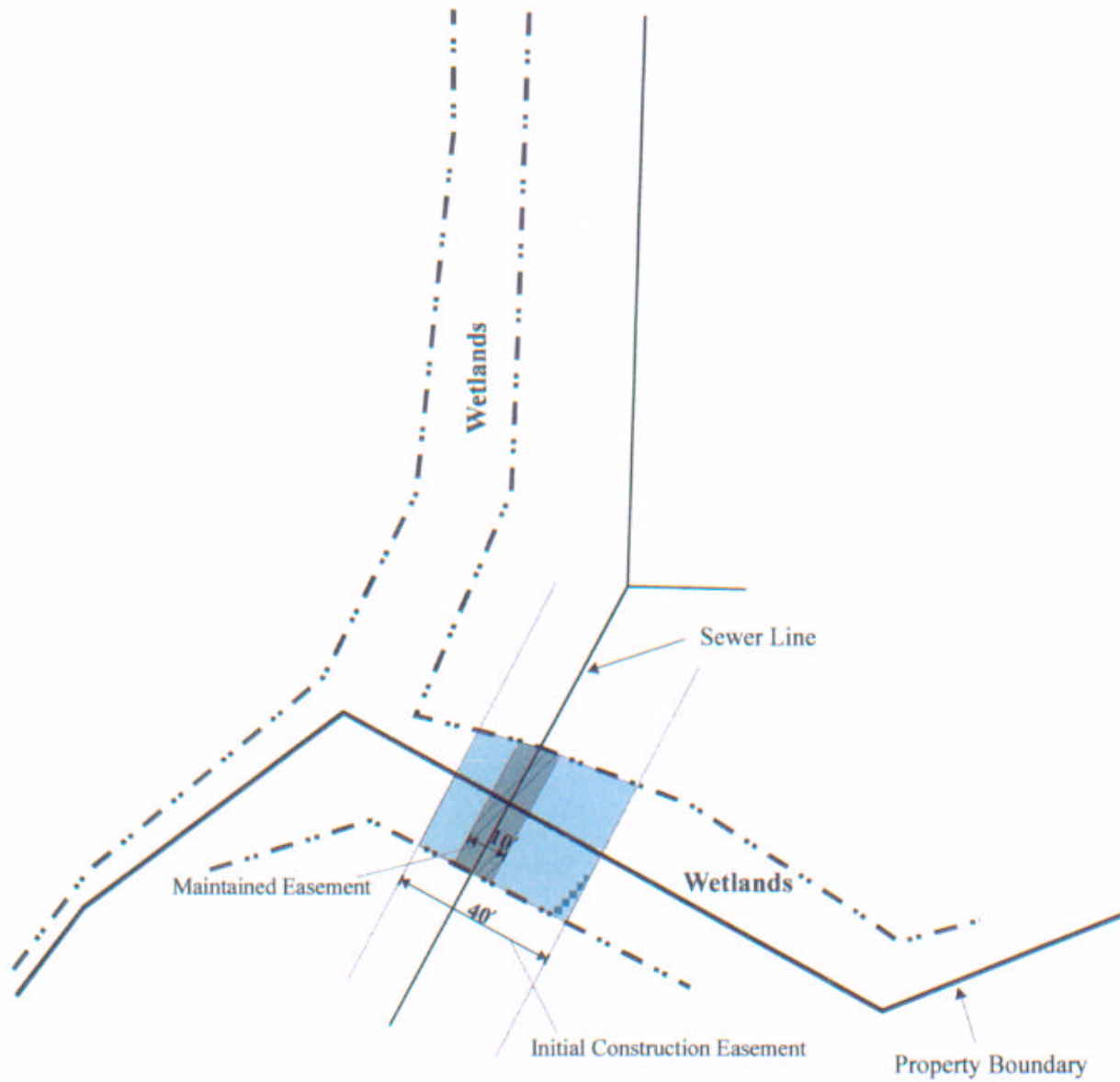
SHEET 3 OF 19

MASTER SITE PLAN CAROLINA FOREST

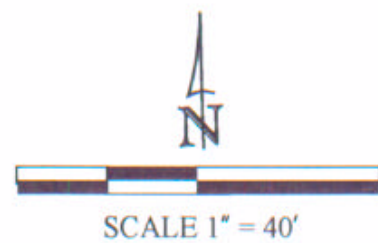
A HUNTER DEVELOPMENT RESIDENTIAL COMMUNITY

Parker & Associates, Inc.
 Planning Engineers - Land Development - Land Planning
 1000 West 10th Street, Suite 1000, Fort Worth, Texas 76102





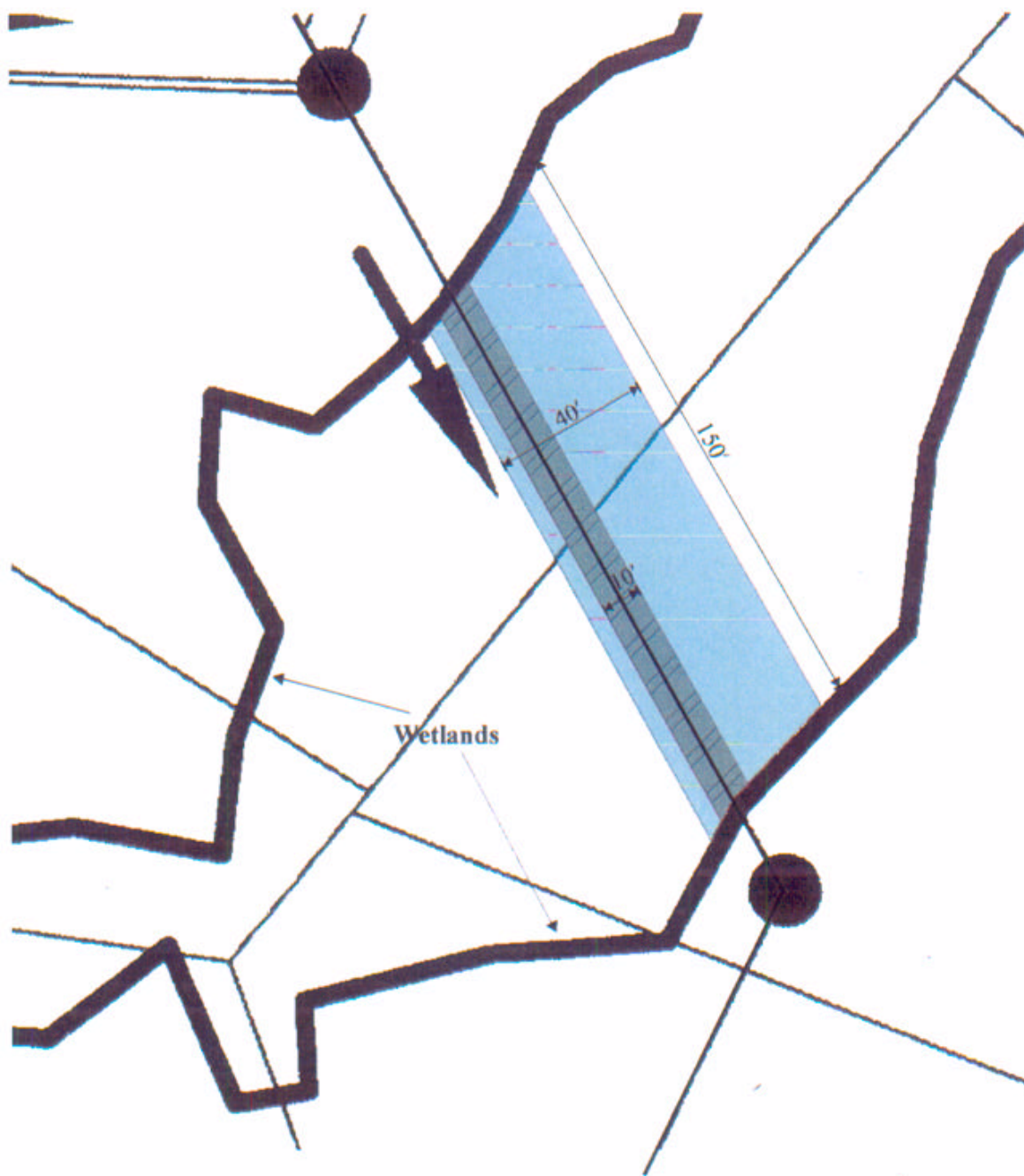
- Immediate wetland impacts (0.03 acre)
- Permanent wetland impacts (0.01 acre)



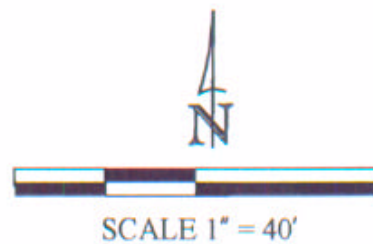
Carolina Forest
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June 2003

Sheet 5 of 29
Sewer crossing # 1.



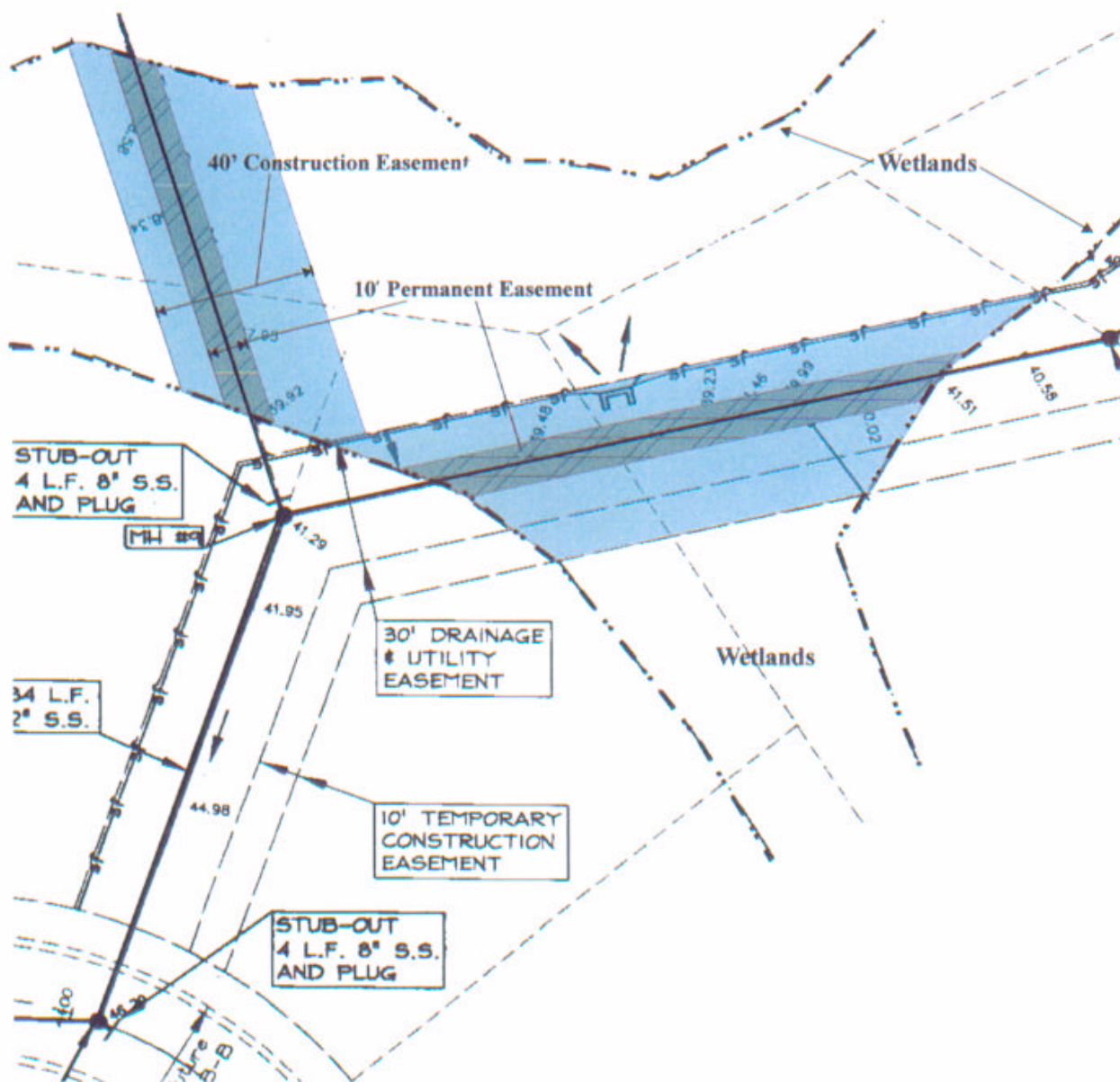
- Immediate wetland impacts (0.14 acre)
- Permanent wetland impacts (0.03 acre)



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Sheet 6 of ¹⁹21
Sewer crossing # 2.



- Immediate wetland impacts (0.19 acre)
- Permanent wetland impacts (0.06 acre)



SCALE 1" = 40'

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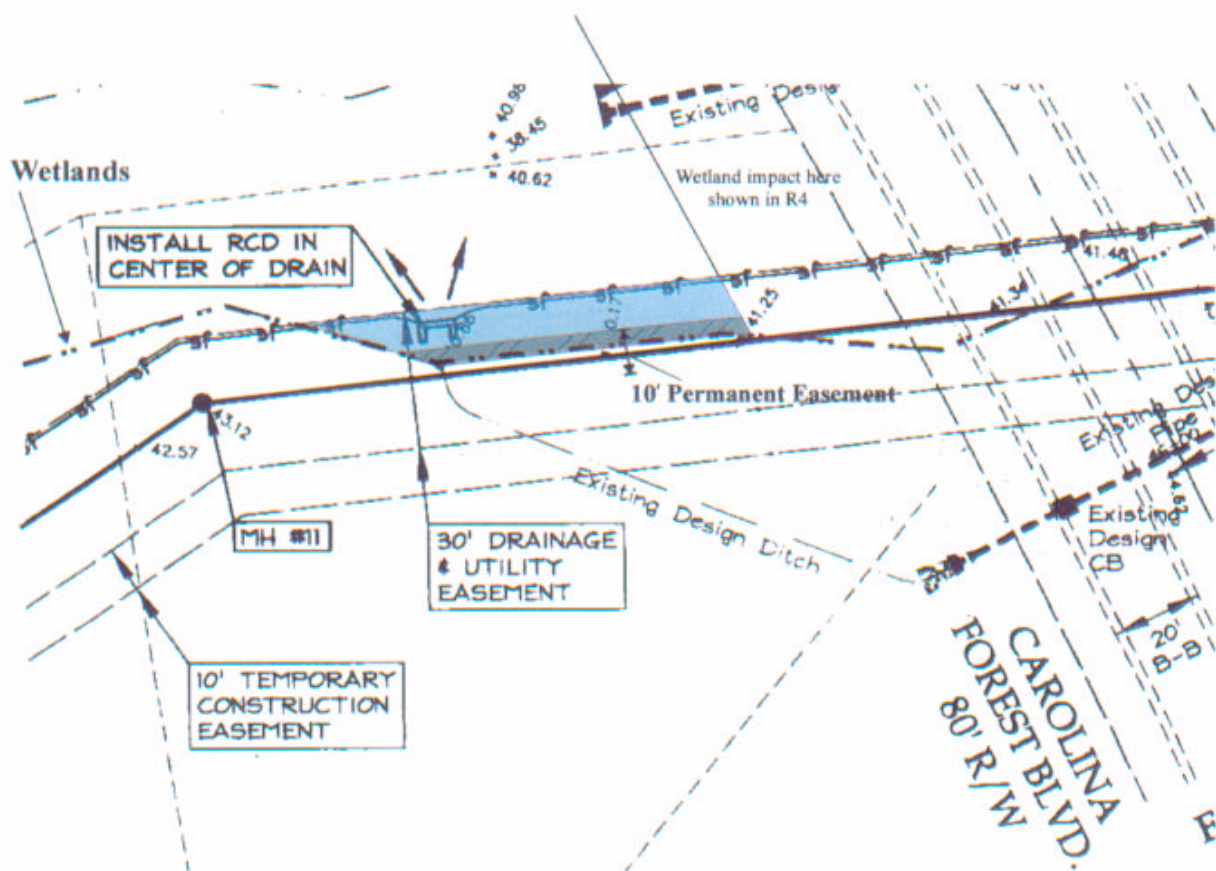
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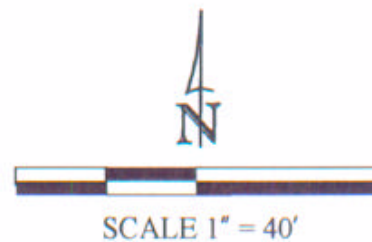
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June 2003

Sheet 7 of 19
Sewer crossing #3.



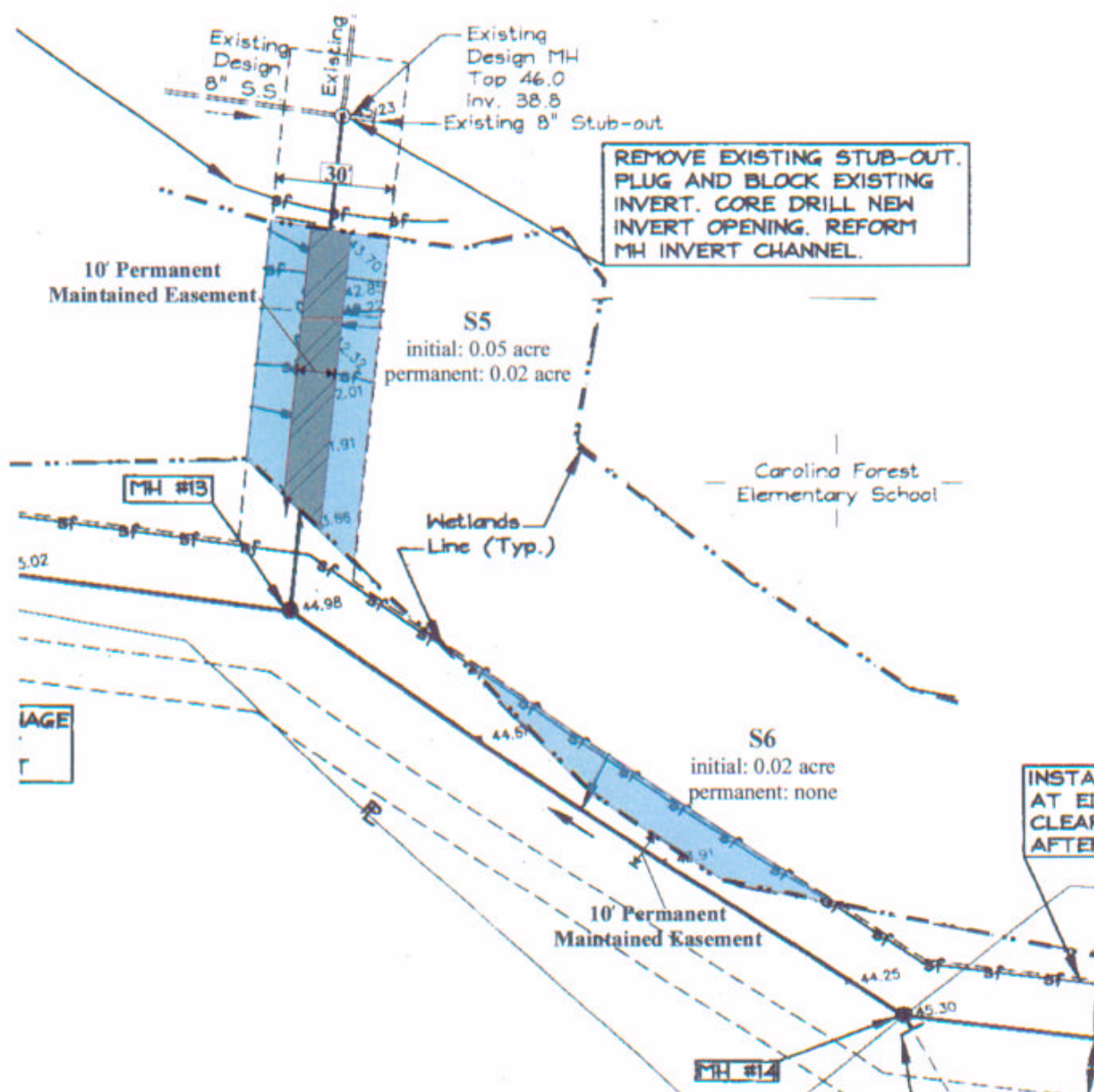
- Immediate wetland impacts (0.023 acre)
- Permanent wetland impacts (0.005 acre)



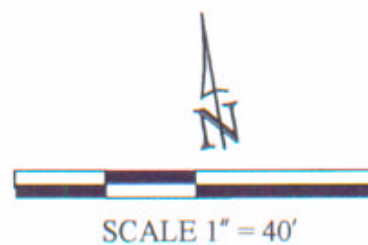
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June 2003

Sheet 8 of 28
Sewer crossing # 4.



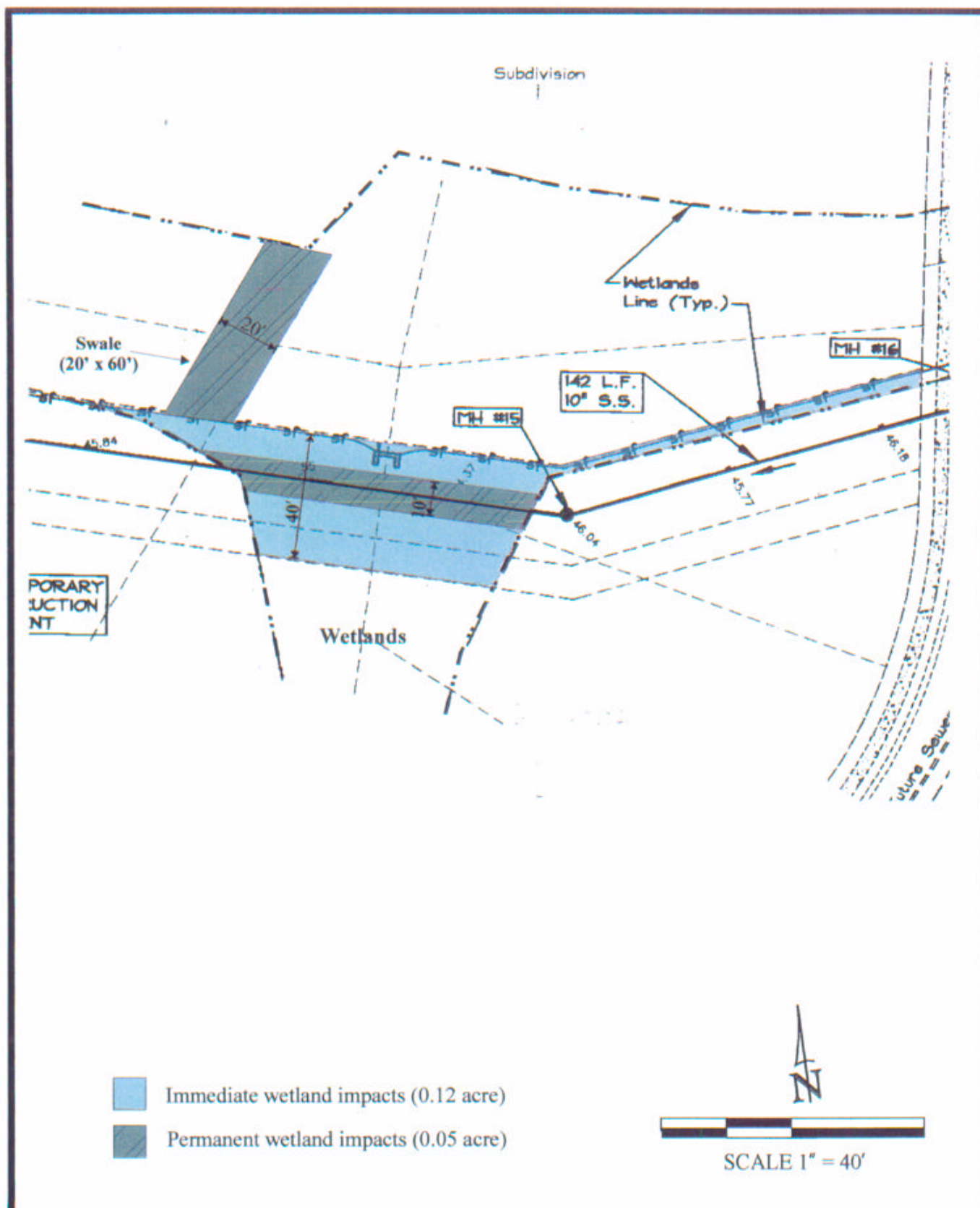
- Immediate wetland impacts (0.07 acre)
- Permanent wetland impacts (0.02 acre)



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June 2003

Sheet 4 of 19
Sewer crossings #5 & 6.

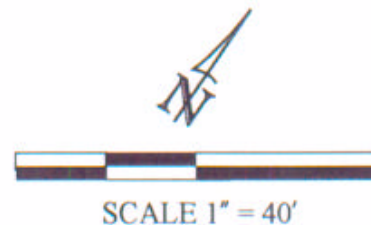
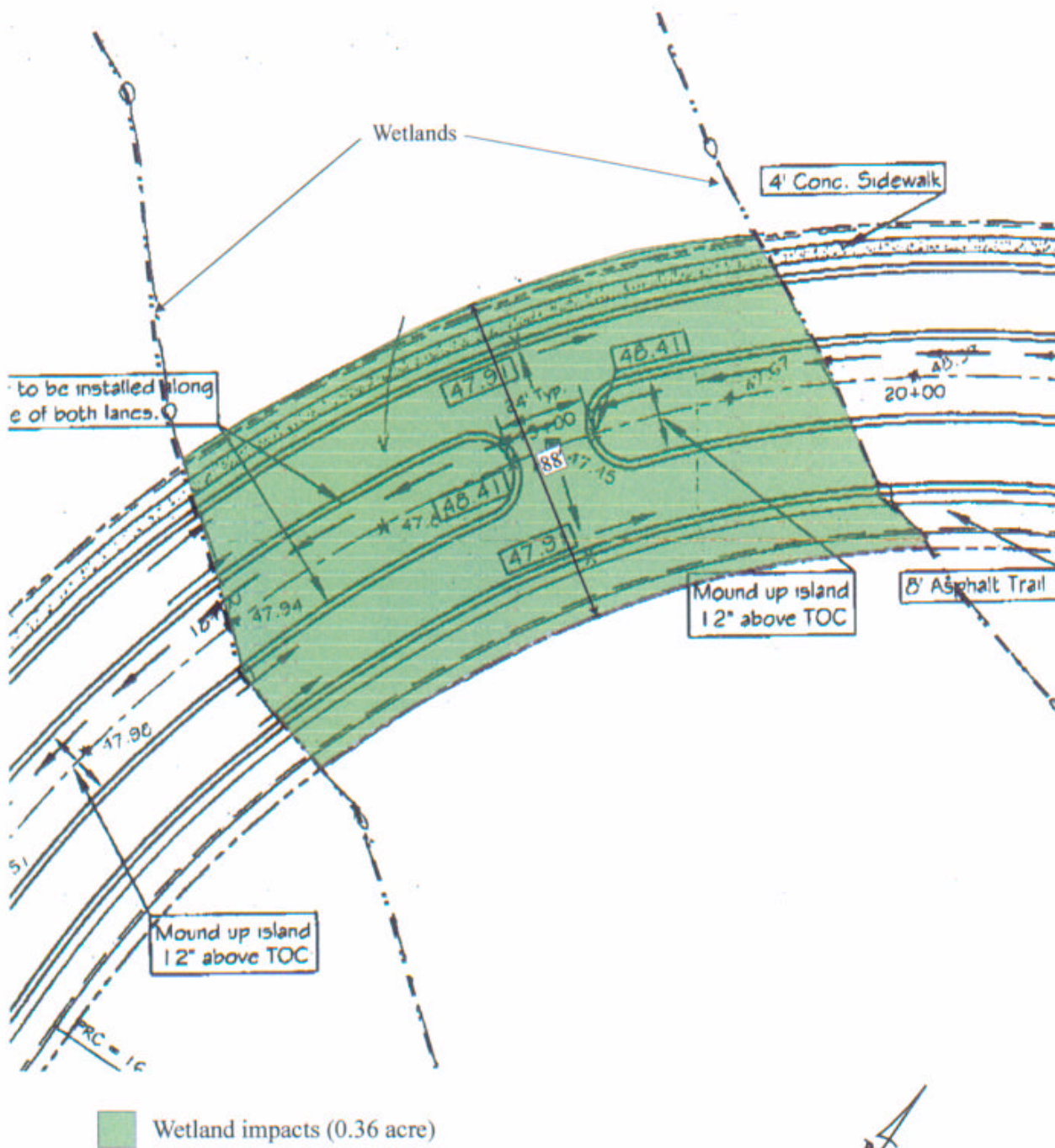


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Sheet 10 of 21
Sewer crossing # 7.

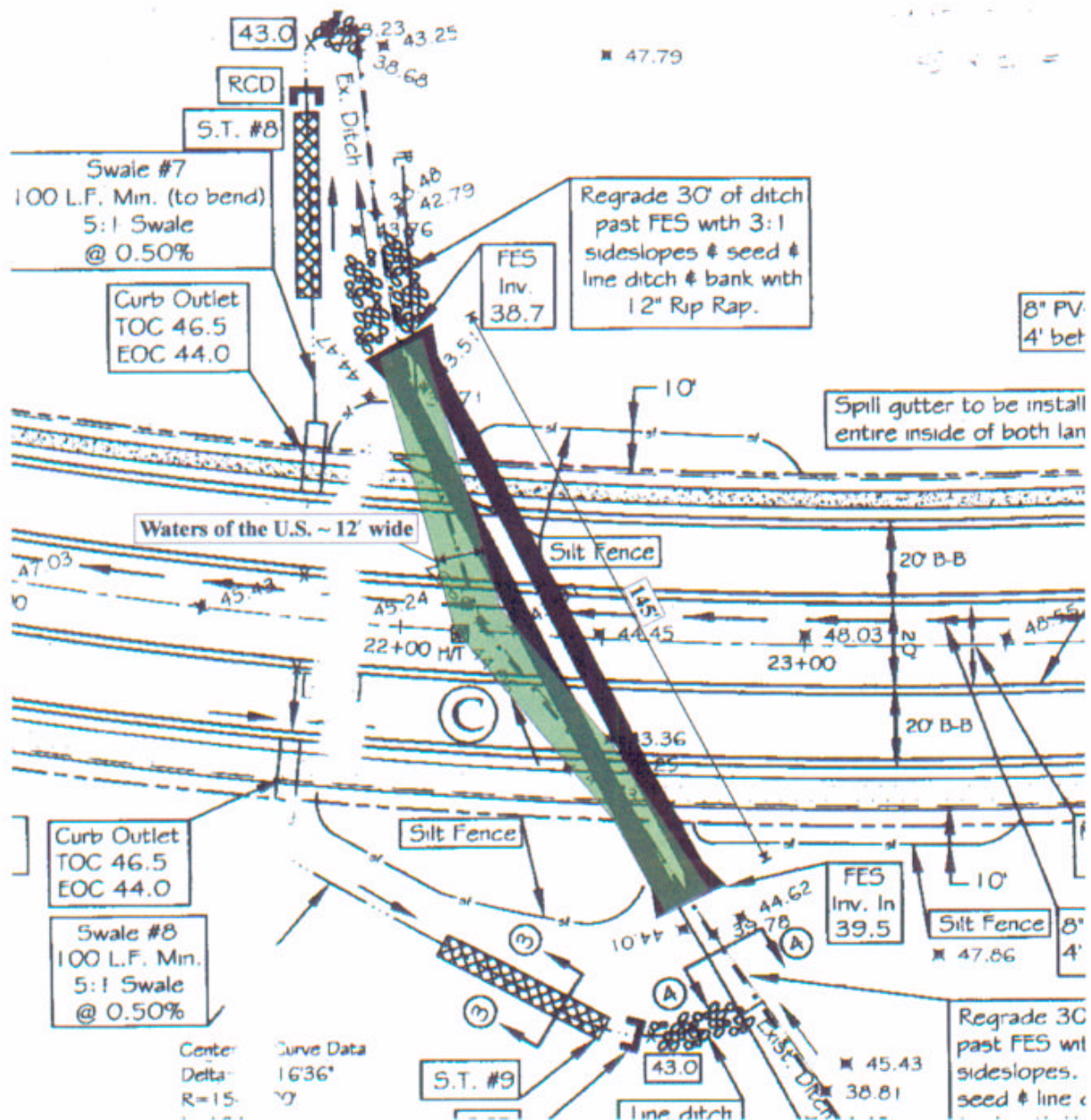


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June 2003

Sheet 12 of 21
Road crossing #2.

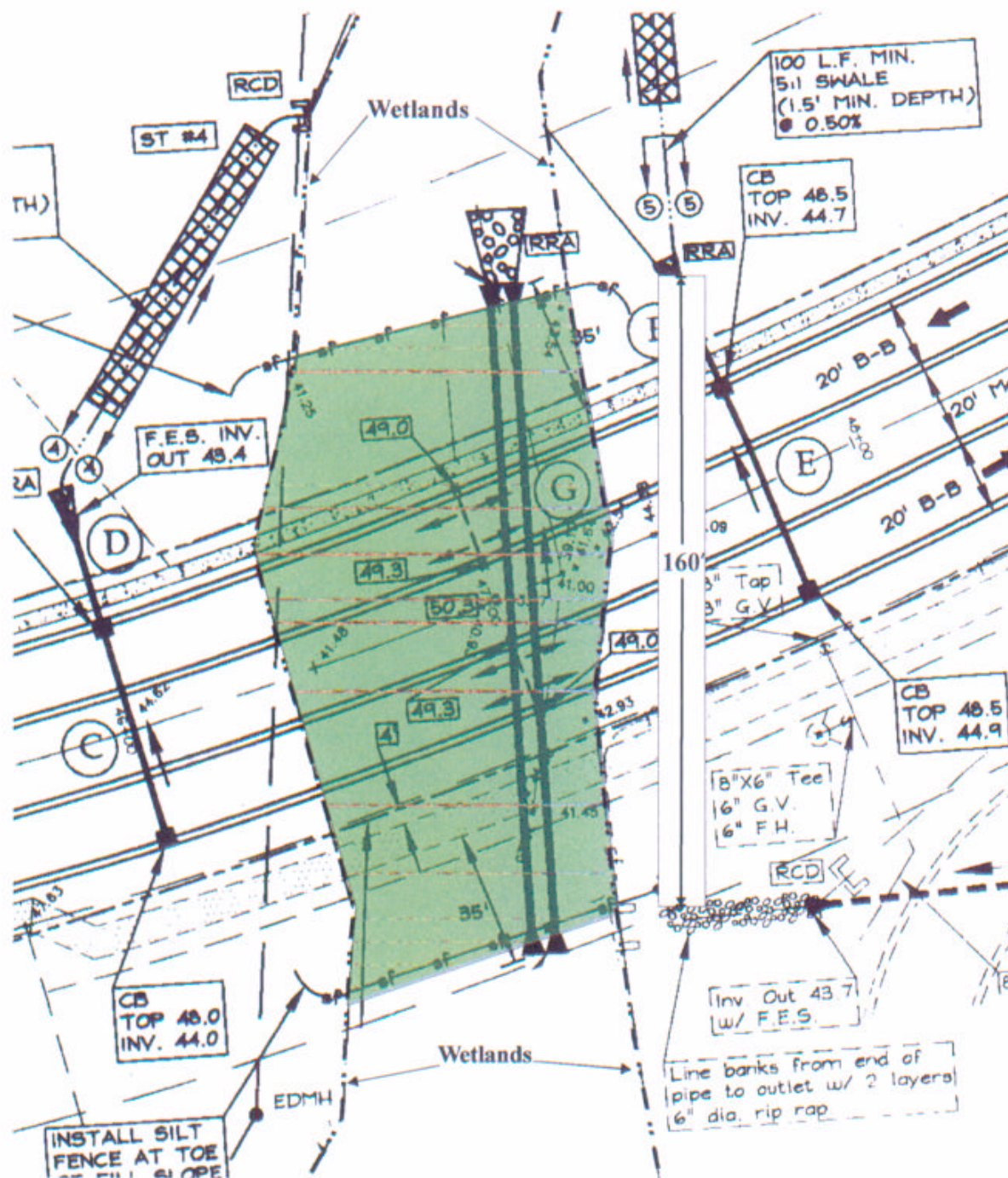


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June 2003

Sheet 13 of 21
Road crossing #3.



Wetland impacts (0.29 acre)



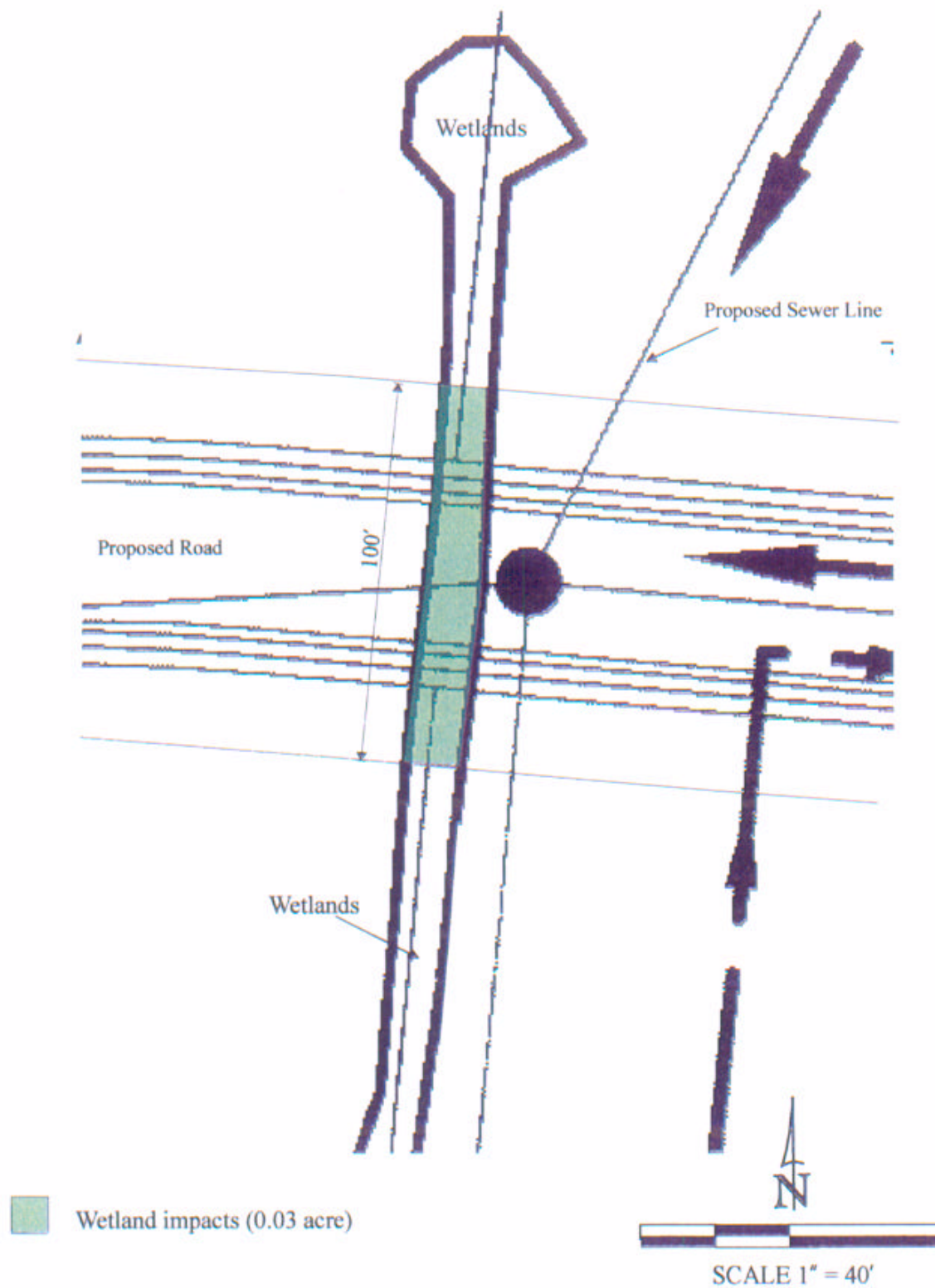
SCALE 1" = 40'

Carolina Forest
Individual Permit Application
Onslow County, NC

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June 2003

Sheet 14 of 24
Road crossing #4.

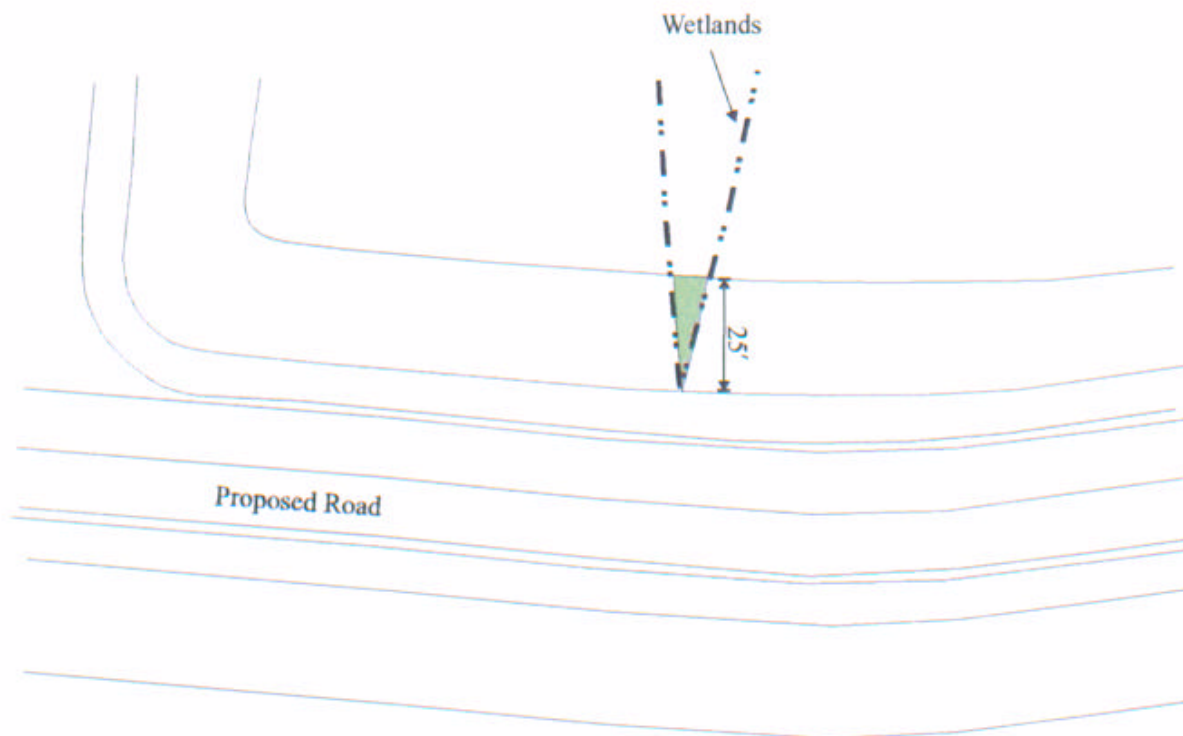


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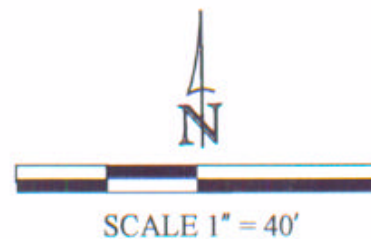
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Sheet 15 of 21
Road crossing #5.



 Wetland impacts (0.003 acre)

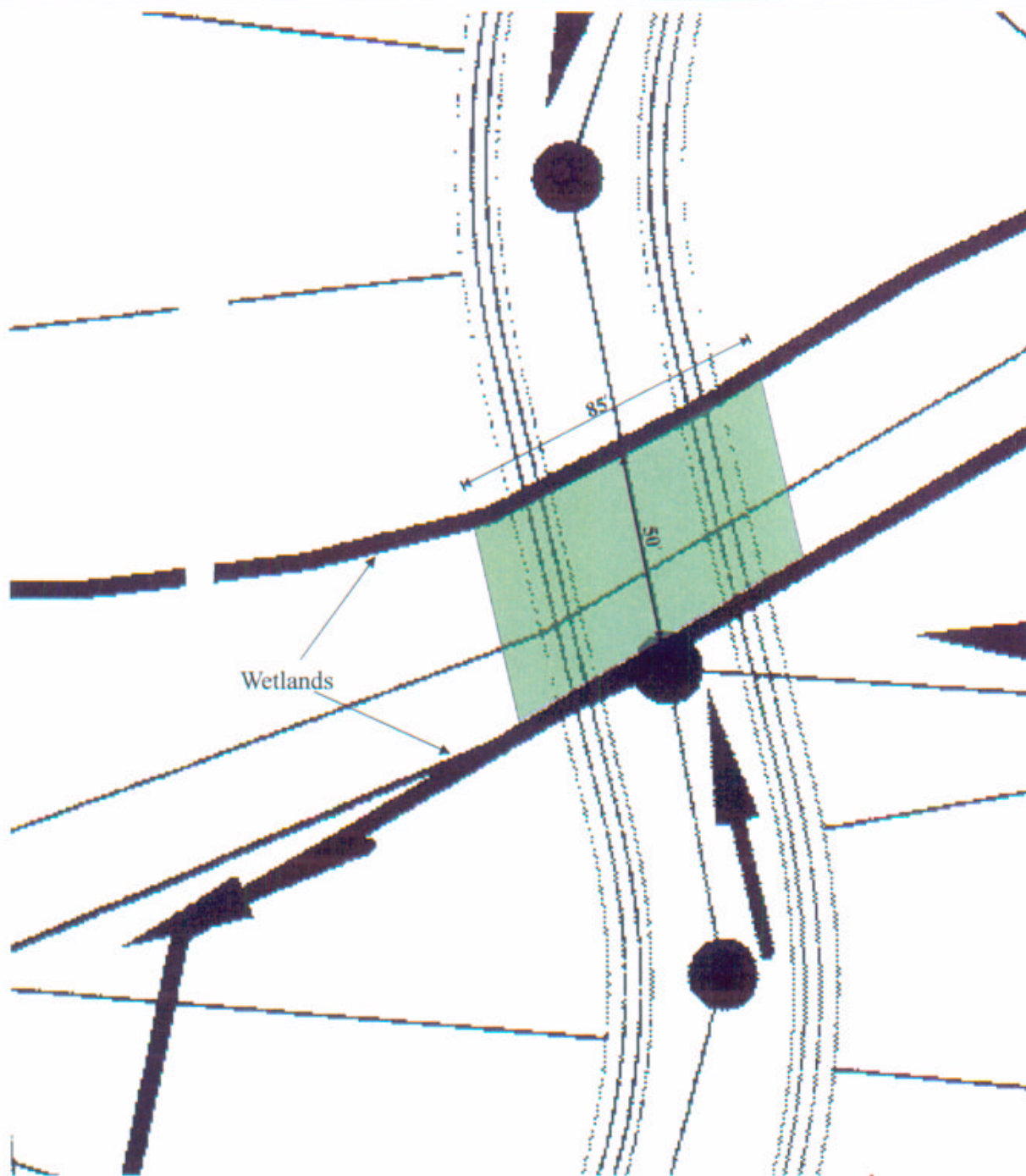


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Sheet 16 of 21
Road crossing #6.



Wetland impacts (0.10 acre)



SCALE 1" = 40'

Carolina Forest
Individual Permit Application
Onslow County, NC

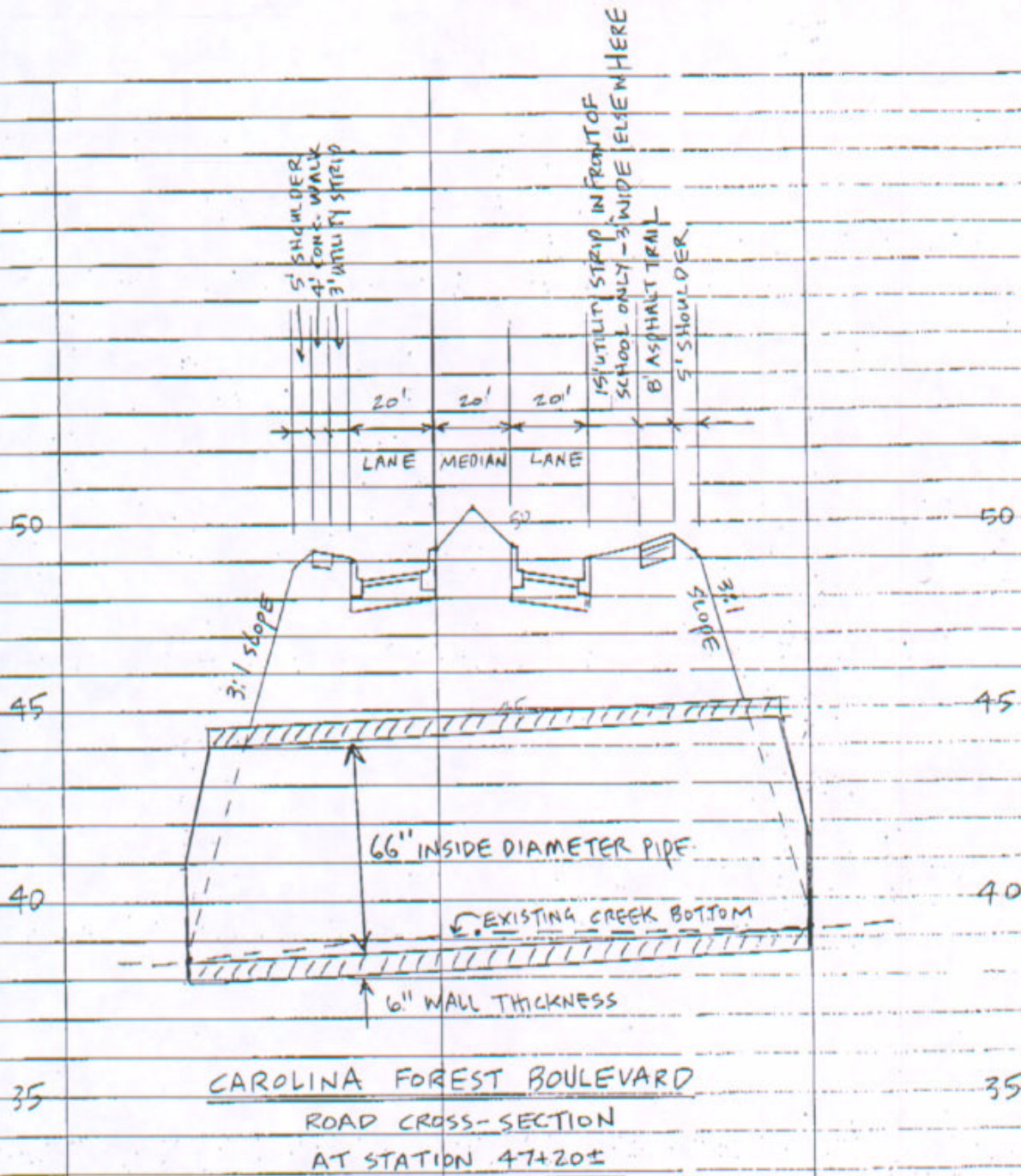
Applicant: Hunter Development Corp.

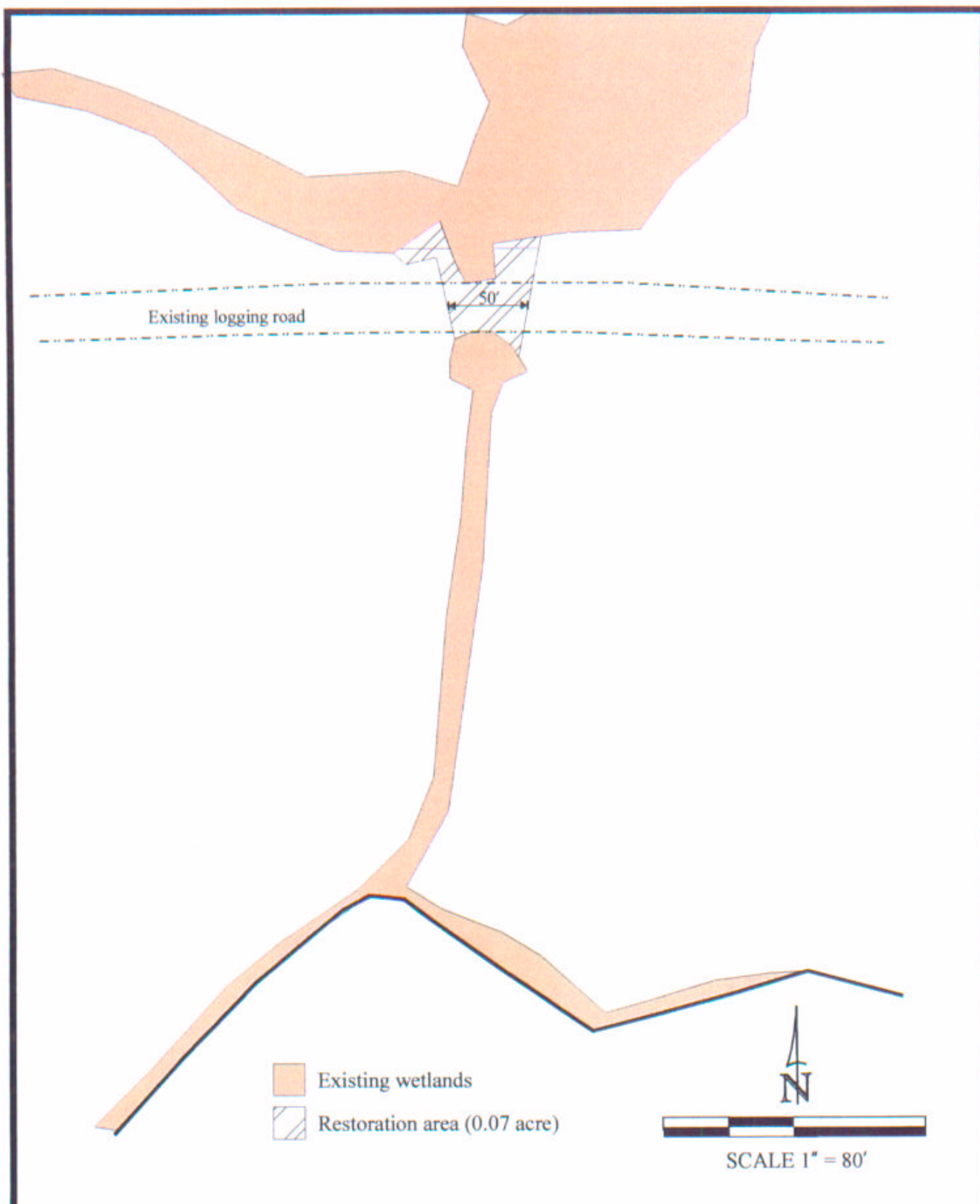
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June 2003

Sheet 17 of 24
Road crossing #7.

19
SHEET 18 OF 21

CROSS SECTION OF ROAD CROSSING #4.

SCALE: 1"=40' HORIZ. 1"=4' VERTICAL
6-19-03 TMS PARKER + ASSOC.



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June 2003

Sheet 19 of 21
On-site wetland restoration.